

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 2:08-CV-10012
HON. GEORGE CARAM STEEH

HENRY LYONS,

Defendant.

_____ /

ORDER DENYING HEARING

This lawsuit arises out of two student loans taken by defendant Henry Lyons in 1989. Lyons defaulted on the loans and the balances of the Promissory Notes were accelerated. The holder of the Promissory Notes filed a claim with the Guarantor who paid the claim and was reimbursed by the Department of Education. When the Guarantor was unable to collect on the debt, it assigned its right and title to the loan to the Department of Education. The government served defendant with a summons and complaint in this matter on January 19, 2008. This Court granted summary judgment for the government on April 3, 2008. Prior to the entry of judgment, the parties entered into a payment agreement by which defendant agreed to pay \$150 monthly beginning on June 1, 2008.

According to the government, defendant failed to honor the payment agreement. Records submitted by the government show that defendant has missed two payments since the agreement was entered - one for August and another for October. Based on these missed payments, the government obtained a writ of garnishment for defendant's wages. Defendant now moves for a hearing claiming that he has been making the agreed payments and should not be garnished. Defendant has offered no valid objection to the garnishment nor has he indicated any applicable exceptions.

Accordingly, defendant's request for a hearing (Doc. 16 and 17) in this matter hereby is

DENIED.

SO ORDERED.

Dated: November 3, 2008

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
November 3, 2008, by electronic and/or ordinary mail.

S/Marcia Beauchenin
Deputy Clerk